

### **DEFINITIONS**

- ❑ Administrator-Person appointed by the Court to administer an intestate estate
- ❑ Beneficiary-Person who receives property under a will
- ❑ Executor-Person appointed by will to administer an estate
- ❑ Heir-Person who is entitled to property of an intestate decedent
- ❑ Intestate-To die without a will
- ❑ Letters of Administration-Formal document issued by the Court appointing Administrator
- ❑ Letters Testamentary-Formal document issued by the Court appointing Executor
- ❑ Testate-To die leaving a will

### **TO OPEN AN ESTATE**

- ❑ If the deceased had a will, complete a Petition to Probate Will. If there is no will, complete a Petition to Administer an Estate
- ❑ Make an appointment with the Clerk and Master for probate
- ❑ Appear for the probate
  - You must bring the original will
  - The will must have a proper witness attestation clause. Check with the clerk's office before the probate appointment if you have a question about the witnesses
- ❑ Arrange for bond, if not waived by the will or by the intestate heirs

### **WITHIN 60 DAYS AFTER PROBATE**

- ❑ File an Inventory of the estate, if not waived by the will or the intestate heirs

- ❑ File an Affidavit that a copy of the will has been sent to the beneficiaries or a copy of the Letters of Administration have been sent to the heirs at law

### **CLAIMS**

- ❑ The Clerk and Master is required to publish a notice to creditors in the local newspaper. If a creditor's claim is received, a copy will be sent to you
- ❑ If the claim is a valid claim, it must be satisfied before the estate is closed
- ❑ If the claim is not a valid claim, a proper objection must be timely filed
- ❑ You must send actual notice of the probate to all known creditors

### **TN DEPT. OF REVENUE**

- ❑ An inheritance tax return must be filed with the TN Dept. of Revenue
- ❑ The Dept. will issue a receipt showing that the taxes were paid or that there were no taxes due

### **CLOSE THE ESTATE (MINIMUM OF 4 MONTHS FROM FIRST PUBLICATION)**

- ❑ Obtain and file a receipt and waiver of accounting from all beneficiaries or heirs at law
- ❑ Obtain and file a receipt for specific bequests
- ❑ File the receipt from the TN Dept. of Revenue for inheritance taxes
- ❑ File a sworn statement of the personal representative in lieu of final accounting
- ❑ Contact the clerk's office for final closing costs
- ❑ **Do not close the estate until all assets of the estate have been distributed**

Forms

- #1 Petition to Admit Will to Probate
- #2 Petition for Administration
- #3 Waiver of Bond
- #4 Waiver of Inventory
- #5 Inventory
- #6 Affidavit (Will)
- #7 Affidavit (Letters)
- #8 Receipt and Waiver
- #9 Receipt for Specific Bequest
- #10 Statement in Lieu (Will)
- #11 Statement in Lieu (Intestate)

**WILLIAMSON COUNTY  
CLERK AND MASTER**

**P. O. BOX 1666  
FRANKLIN, TN 37065  
615-790-5428**

**PROBATE DIVISION**

The information provided herein should give procedural direction to the personal representative for administering an estate. Nothing herein should be construed as legal advice nor is it intended to be legal advice.